

By the Committee on Natural Resources; and Senators  
Brown-Waite and Constantine

312-1910-02

1                                   A bill to be entitled  
2           An act relating to water-supply policy;  
3           amending s. 163.3177, F.S.; specifying  
4           additional requirements for local comprehensive  
5           plans relating to potable water facilities;  
6           requiring local governments to consider the  
7           water management district's regional water  
8           supply plans in the potable-water element;  
9           amending s. 163.3191, F.S., relating to  
10          evaluation and appraisal of comprehensive  
11          plans; requiring an evaluation of the  
12          availability of potable water and whether  
13          future water-supply-development needs are  
14          addressed in the capital-improvements element;  
15          amending s. 403.064, F.S.; requiring the reuse  
16          of reclaimed water when feasible; requiring the  
17          dissemination of public information regarding  
18          the status of major water sources; amending s.  
19          403.1835, F.S.; providing for below-market  
20          interest rate loans to qualified entities;  
21          repealing s. 373.498, F.S., relating to  
22          disbursements from the water resources  
23          development account; amending s. 367.022, F.S.;  
24          providing an exemption from regulation by the  
25          Florida Public Service Commission for certain  
26          water suppliers who provide nonpotable water  
27          for fireflow; amending s. 373.1961, F.S.;  
28          providing requirements for disbursements for  
29          alternative water supply projects; repealing s.  
30          403.804(3), F.S., relating to obsolete  
31          provisions concerning grants for water and

1           wastewater facilities; providing a legislative  
2           finding that the linkage of land use and water  
3           supply planning is of great public importance;  
4           providing an effective date.

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6 Be It Enacted by the Legislature of the State of Florida:

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8           Section 1. Paragraph (a) of subsection (3), paragraph  
9           (a) of subsection (4), and paragraphs (c), (d), and (h) of  
10          subsection (6) of section 163.3177, Florida Statutes, are  
11          amended to read:

12           163.3177 Required and optional elements of  
13          comprehensive plan; studies and surveys.--

14           (3)(a) The comprehensive plan shall contain a capital  
15          improvements element designed to consider the need for and the  
16          location of public facilities in order to encourage the  
17          efficient utilization of such facilities and set forth:

18           1. A component which outlines principles for  
19          construction, extension, or increase in capacity of public  
20          facilities, including potable water facilities compatible with  
21          the applicable regional water supply plan developed pursuant  
22          to s. 373.0361, as well as a component which outlines  
23          principles for correcting existing public facility  
24          deficiencies, which are necessary to implement the  
25          comprehensive plan. The components shall cover at least a  
26          5-year period.

27           2. Estimated public facility costs, including a  
28          delineation of when facilities will be needed, the general  
29          location of the facilities, and projected revenue sources to  
30          fund the facilities.

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1           3. Standards to ensure the availability of public  
2 facilities and the adequacy of those facilities including  
3 acceptable levels of service.

4           4. Standards for the management of debt.

5           (4)(a) Coordination of the local comprehensive plan  
6 with the comprehensive plans of adjacent municipalities, the  
7 county, adjacent counties, or the region; with the appropriate  
8 water management district's regional water supply plans

9 approved pursuant to s. 373.0361;with adopted rules  
10 pertaining to designated areas of critical state concern; and  
11 with the state comprehensive plan shall be a major objective  
12 of the local comprehensive planning process. To that end, in  
13 the preparation of a comprehensive plan or element thereof,  
14 and in the comprehensive plan or element as adopted, the  
15 governing body shall include a specific policy statement  
16 indicating the relationship of the proposed development of the  
17 area to the comprehensive plans of adjacent municipalities,  
18 the county, adjacent counties, or the region and to the state  
19 comprehensive plan, as the case may require and as such  
20 adopted plans or plans in preparation may exist.

21           (b) When all or a portion of the land in a local  
22 government jurisdiction is or becomes part of a designated  
23 area of critical state concern, the local government shall  
24 clearly identify those portions of the local comprehensive  
25 plan that shall be applicable to the critical area and shall  
26 indicate the relationship of the proposed development of the  
27 area to the rules for the area of critical state concern.

28           (6) In addition to the requirements of subsections  
29 (1)-(5), the comprehensive plan shall include the following  
30 elements:

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1 (c) A general sanitary sewer, solid waste, drainage,  
2 potable water, and natural groundwater aquifer recharge  
3 element correlated to principles and guidelines for future  
4 land use, indicating ways to provide for future potable water,  
5 drainage, sanitary sewer, solid waste, and aquifer recharge  
6 protection requirements for the area. The element may be a  
7 detailed engineering plan including a topographic map  
8 depicting areas of prime groundwater recharge. The element  
9 shall describe the problems and needs and the general  
10 facilities that will be required for solution of the problems  
11 and needs. The element shall also include a topographic map  
12 depicting any areas adopted by a regional water management  
13 district as prime groundwater recharge areas for the Floridan  
14 or Biscayne aquifers, pursuant to s. 373.0395. These areas  
15 shall be given special consideration when the local government  
16 is engaged in zoning or considering future land use for said  
17 designated areas. For areas served by septic tanks, soil  
18 surveys shall be provided which indicate the suitability of  
19 soils for septic tanks. By July 1, 2007, or the Evaluation and  
20 Appraisal Report adoption deadline established for the local  
21 government pursuant to s. 163.3191(a), whichever date occurs  
22 first, the element must consider the appropriate water  
23 management district's regional water supply plan approved  
24 pursuant to s. 373.0361. The element must include a work plan,  
25 covering at least a 10-year planning period, for building any  
26 water supply facilities that are identified in the element as  
27 necessary to serve existing and new development and for which  
28 the local government is responsible.

29 (d) A conservation element for the conservation, use,  
30 and protection of natural resources in the area, including  
31 air, water, water recharge areas, wetlands, waterwells,

1 estuarine marshes, soils, beaches, shores, flood plains,  
2 rivers, bays, lakes, harbors, forests, fisheries and wildlife,  
3 marine habitat, minerals, and other natural and environmental  
4 resources. Local governments shall assess their current, as  
5 well as projected, water needs and sources for at least a  
6 10-year period, considering the appropriate regional water  
7 supply plan approved pursuant to s. 373.0361 or the district  
8 water management plan approved pursuant to s. 373.036(2), in  
9 the absence of an approved regional water supply plan. This  
10 information shall be submitted to the appropriate agencies.  
11 The land use map or map series contained in the future land  
12 use element shall generally identify and depict the following:

- 13 1. Existing and planned waterwells and cones of  
14 influence where applicable.
- 15 2. Beaches and shores, including estuarine systems.
- 16 3. Rivers, bays, lakes, flood plains, and harbors.
- 17 4. Wetlands.
- 18 5. Minerals and soils.

19  
20 The land uses identified on such maps shall be consistent with  
21 applicable state law and rules.

22 (h)1. An intergovernmental coordination element  
23 showing relationships and stating principles and guidelines to  
24 be used in the accomplishment of coordination of the adopted  
25 comprehensive plan with the plans of school boards and other  
26 units of local government providing services but not having  
27 regulatory authority over the use of land, with the  
28 comprehensive plans of adjacent municipalities, the county,  
29 adjacent counties, or the region, ~~and~~ with the state  
30 comprehensive plan, and with the applicable regional water  
31 supply plan approved pursuant to s. 373.0361, as the case may

1 require and as such adopted plans or plans in preparation may  
2 exist. This element of the local comprehensive plan shall  
3 demonstrate consideration of the particular effects of the  
4 local plan, when adopted, upon the development of adjacent  
5 municipalities, the county, adjacent counties, or the region,  
6 or upon the state comprehensive plan, as the case may require.

7 a. The intergovernmental coordination element shall  
8 provide for procedures to identify and implement joint  
9 planning areas, especially for the purpose of annexation,  
10 municipal incorporation, and joint infrastructure service  
11 areas.

12 b. The intergovernmental coordination element shall  
13 provide for recognition of campus master plans prepared  
14 pursuant to s. 240.155.

15 c. The intergovernmental coordination element may  
16 provide for a voluntary dispute resolution process as  
17 established pursuant to s. 186.509 for bringing to closure in  
18 a timely manner intergovernmental disputes. A local  
19 government may develop and use an alternative local dispute  
20 resolution process for this purpose.

21 2. The intergovernmental coordination element shall  
22 further state principles and guidelines to be used in the  
23 accomplishment of coordination of the adopted comprehensive  
24 plan with the plans of school boards and other units of local  
25 government providing facilities and services but not having  
26 regulatory authority over the use of land. In addition, the  
27 intergovernmental coordination element shall describe joint  
28 processes for collaborative planning and decisionmaking on  
29 population projections and public school siting, the location  
30 and extension of public facilities subject to concurrency, and  
31 siting facilities with countywide significance, including

1 locally unwanted land uses whose nature and identity are  
2 established in an agreement. Within 1 year of adopting their  
3 intergovernmental coordination elements, each county, all the  
4 municipalities within that county, the district school board,  
5 and any unit of local government service providers in that  
6 county shall establish by interlocal or other formal agreement  
7 executed by all affected entities, the joint processes  
8 described in this subparagraph consistent with their adopted  
9 intergovernmental coordination elements.

10 3. To foster coordination between special districts  
11 and local general-purpose governments as local general-purpose  
12 governments implement local comprehensive plans, each  
13 independent special district must submit a public facilities  
14 report to the appropriate local government as required by s.  
15 189.415.

16 4. The state land planning agency shall establish a  
17 schedule for phased completion and transmittal of plan  
18 amendments to implement subparagraphs 1., 2., and 3. from all  
19 jurisdictions so as to accomplish their adoption by December  
20 31, 1999. A local government may complete and transmit its  
21 plan amendments to carry out these provisions prior to the  
22 scheduled date established by the state land planning agency.  
23 The plan amendments are exempt from the provisions of s.  
24 163.3187(1).

25 Section 2. Paragraph (1) is added to subsection (2) of  
26 section 163.3191, Florida Statutes, to read:

27 163.3191 Evaluation and appraisal of comprehensive  
28 plan.--

29 (2) The report shall present an evaluation and  
30 assessment of the comprehensive plan and shall contain  
31 appropriate statements to update the comprehensive plan,

1 including, but not limited to, words, maps, illustrations, or  
2 other media, related to:

3 (1) The appropriate water management district's  
4 regional water supply plan approved pursuant to s. 373.0361.  
5 The potable water element must be revised to include a work  
6 plan, covering at least a 10-year planning period for building  
7 any water supply facilities that are identified in the element  
8 as necessary to serve existing and new development and for  
9 which the local government is responsible.

10 Section 3. Section 403.064, Florida Statutes, is  
11 amended to read:

12 403.064 Reuse of reclaimed water.--

13 (1) The encouragement and promotion of water  
14 conservation, and reuse of reclaimed water, as defined by the  
15 department, are state objectives and are considered to be in  
16 the public interest. The Legislature finds that the reuse of  
17 reclaimed water is a critical component of meeting the state's  
18 existing and future water supply needs while sustaining  
19 natural systems.The Legislature further finds that for those  
20 wastewater treatment plants permitted and operated under an  
21 approved reuse program by the department, the reclaimed water  
22 shall be considered environmentally acceptable and not a  
23 threat to public health and safety.

24 (2) All applicants for permits to construct or operate  
25 a domestic wastewater treatment facility located within,  
26 serving a population located within, or discharging within a  
27 water resource caution area shall prepare a reuse feasibility  
28 study as part of their application for the permit. Reuse  
29 feasibility studies shall be prepared in accordance with  
30 department guidelines adopted by rule and shall include, but  
31 are not limited to:



1 (a) Evaluation of monetary costs and benefits for  
2 several levels and types of reuse.

3 (b) Evaluation of water savings if reuse is  
4 implemented.

5 (c) Evaluation of rates and fees necessary to  
6 implement reuse.

7 (d) Evaluation of environmental and water resource  
8 benefits associated with reuse.

9 (e) Evaluation of economic, environmental, and  
10 technical constraints.

11 (f) A schedule for implementation of reuse. The  
12 schedule shall consider phased implementation.

13 (3) The permit applicant shall prepare a plan of study  
14 for the reuse feasibility study consistent with the reuse  
15 feasibility study guidelines adopted by department rule. The  
16 plan of study shall include detailed descriptions of  
17 applicable treatment and water supply alternatives to be  
18 evaluated and the methods of analysis to be used. The plan of  
19 study shall be submitted to the department for review and  
20 approval.

21 (4)(3) The study required under subsection (2) shall  
22 be performed by the applicant, and, if the study shows that  
23 the reuse is feasible, the permitting agency must give  
24 significant consideration to its implementation the  
25 applicant's determination of feasibility is final if the study  
26 complies with the requirements of subsections ~~subsection~~ (2)  
27 and (3).

28 (5)(4) A reuse feasibility study is not required if:

29 (a) The domestic wastewater treatment facility has an  
30 existing or proposed permitted or design capacity less than  
31 0.1 million gallons per day; or

1 (b) The permitted reuse capacity equals or exceeds the  
2 total permitted capacity of the domestic wastewater treatment  
3 facility.

4 (6)~~(5)~~ A reuse feasibility study prepared under  
5 subsection (2) satisfies a water management district  
6 requirement to conduct a reuse feasibility study imposed on a  
7 local government or utility that has responsibility for  
8 wastewater management.

9 (7)~~(6)~~ Local governments may allow the use of  
10 reclaimed water for inside activities, including, but not  
11 limited to, toilet flushing, fire protection, and decorative  
12 water features, as well as for outdoor uses, provided the  
13 reclaimed water is from domestic wastewater treatment  
14 facilities which are permitted, constructed, and operated in  
15 accordance with department rules.

16 (8)~~(7)~~ Permits issued by the department for domestic  
17 wastewater treatment facilities shall be consistent with  
18 requirements for reuse included in applicable consumptive use  
19 permits issued by the water management district, if such  
20 requirements are consistent with department rules governing  
21 reuse of reclaimed water. This subsection applies only to  
22 domestic wastewater treatment facilities which are located  
23 within, or serve a population located within, or discharge  
24 within water resource caution areas and are owned, operated,  
25 or controlled by a local government or utility which has  
26 responsibility for water supply and wastewater management.

27 (9)~~(8)~~ Local governments may and are encouraged to  
28 implement programs for the reuse of reclaimed water. Nothing  
29 in this chapter shall be construed to prohibit or preempt such  
30 local reuse programs.

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1           (10)~~(9)~~ A local government that implements a reuse  
2 program under this section shall be allowed to allocate the  
3 costs in a reasonable manner.

4           (11)~~(10)~~ Pursuant to chapter 367, the Florida Public  
5 Service Commission shall allow entities under its jurisdiction  
6 which conduct studies or implement reuse projects, including,  
7 but not limited to, any study required by subsection (2) or  
8 facilities used for reliability purposes for a reclaimed water  
9 reuse system, to recover the full, prudently incurred cost of  
10 such studies and facilities through their rate structure.

11           (12)~~(11)~~ In issuing consumptive use permits, the  
12 permitting agency shall consider the local reuse program.

13           (13)~~(12)~~ A local government shall require a developer,  
14 as a condition for obtaining a development order, to comply  
15 with the local reuse program.

16           (14)~~(13)~~ ~~If, After conducting a feasibility study~~  
17 ~~under subsection (2), an applicant determines that reuse of~~  
18 ~~reclaimed water is feasible, domestic wastewater treatment~~  
19 ~~facilities that dispose of effluent by Class I deep well~~  
20 ~~injection, as defined in 40 C.F.R. part 144.6(a), must~~  
21 ~~implement reuse according to the schedule for implementation~~  
22 ~~contained in the study conducted under subsection (2), to the~~  
23 ~~degree that reuse is determined feasible, based upon the~~  
24 applicant's reuse feasibility study. Applicable permits issued  
25 by the department shall be consistent with the requirements of  
26 this subsection.

27           (a) This subsection does not limit the use of a Class  
28 I deep well injection facility as backup for a reclaimed water  
29 reuse system.

30           (b) This subsection applies only to domestic  
31 wastewater treatment facilities located within, serving a

1 population located within, or discharging within a water  
2 resource caution area.

3 (15)~~(14)~~ If, After conducting a feasibility study  
4 under subsection (2), ~~an applicant determines that reuse of~~  
5 ~~reclaimed water is feasible,~~ domestic wastewater treatment  
6 facilities that dispose of effluent by surface water  
7 discharges or by land application methods must implement reuse  
8 ~~according to the schedule for implementation contained in the~~  
9 ~~study conducted under subsection (2),~~ to the degree that reuse  
10 is ~~determined~~ feasible, based upon the applicant's reuse  
11 feasibility study. This subsection does not apply to surface  
12 water discharges or land application systems which are  
13 currently categorized as reuse under department rules.  
14 Applicable permits issued by the department shall be  
15 consistent with the requirements of this subsection.

16 (a) This subsection does not limit the use of a  
17 surface water discharge or land application facility as backup  
18 for a reclaimed water reuse system.

19 (b) This subsection applies only to domestic  
20 wastewater treatment facilities located within, serving a  
21 population located within, or discharging within a water  
22 resource caution area.

23 Section 4. In order to aid in the development of a  
24 better understanding of the unique surface and groundwater  
25 resources of this state, the water management districts shall  
26 develop an information program designed to provide information  
27 concerning existing hydrologic conditions of major surface and  
28 groundwater sources in this state and suggestions for good  
29 conservation practices within those areas. The program shall  
30 be developed by December 31, 2002. Beginning January 1, 2003,  
31 and on a regular basis no less than every 6 months thereafter,

1 the information developed pursuant to this section shall be  
2 distributed to every member of the Florida Senate and the  
3 Florida House of Representatives and to local print and  
4 broadcast news organizations. Each water management district  
5 shall be responsible for the distribution of this information  
6 within its established geographic area.

7 Section 5. Paragraph (b) of subsection (3) of section  
8 403.1835, Florida Statutes, is amended to read:

9 403.1835 Water pollution control financial  
10 assistance.--

11 (3) The department may provide financial assistance  
12 through any program authorized under s. 603 of the Federal  
13 Water Pollution Control Act (Clean Water Act), Pub. L. No.  
14 92-500, as amended, including, but not limited to, making  
15 grants and loans, providing loan guarantees, purchasing loan  
16 insurance or other credit enhancements, and buying or  
17 refinancing local debt. This financial assistance must be  
18 administered in accordance with this section and applicable  
19 federal authorities. The department shall administer all  
20 programs operated from funds secured through the activities of  
21 the Florida Water Pollution Control Financing Corporation  
22 under s. 403.1837, to fulfill the purposes of this section.

23 (b) The department may make or request the corporation  
24 to make loans, grants, and deposits to other entities eligible  
25 to participate in the financial assistance programs authorized  
26 under the Federal Water Pollution Control Act, or as a result  
27 of other federal action, which entities may pledge any revenue  
28 available to them to repay any funds borrowed. Notwithstanding  
29 s. 18.10, the department may make deposits to financial  
30 institutions which earn less than the prevailing rate for  
31 United States Treasury securities with corresponding

1 maturities for the purpose of enabling those financial  
2 institutions to make below-market interest rate loans to  
3 entities qualified to receive loans under this section and the  
4 rules of the department.

5 Section 6. Subsection (11) of section 367.022, Florida  
6 Statutes, is amended to read:

7 367.022 Exemptions.--The following are not subject to  
8 regulation by the commission as a utility nor are they subject  
9 to the provisions of this chapter, except as expressly  
10 provided:

11 (11) Any person providing only nonpotable water for  
12 irrigation or fireflow purposes in a geographic area where  
13 potable water service is available from a governmentally or  
14 privately owned utility or a private well.

15 Section 7. Subsection (2) of section 373.1961, Florida  
16 Statutes, is amended to read:

17 373.1961 Water production.--

18 (2) The Legislature finds that, due to a combination  
19 of factors, vastly increased demands have been placed on  
20 natural supplies of fresh water, and that, absent increased  
21 development of alternative water supplies, such demands may  
22 increase in the future. The Legislature also finds that  
23 potential exists in the state for the production of  
24 significant quantities of alternative water supplies,  
25 including reclaimed water, and that water production includes  
26 the development of alternative water supplies, including  
27 reclaimed water, for appropriate uses. It is the intent of  
28 the Legislature that utilities develop reclaimed water  
29 systems, where reclaimed water is the most appropriate  
30 alternative water supply option, to deliver reclaimed water to  
31 as many users as possible through the most cost-effective

1 means, and to construct reclaimed water system infrastructure  
2 to their owned or operated properties and facilities where  
3 they have reclamation capability. It is also the intent of the  
4 Legislature that the water management districts which levy ad  
5 valorem taxes for water management purposes should share a  
6 percentage of those tax revenues with water providers and  
7 users, including local governments, water, wastewater, and  
8 reuse utilities, municipal, industrial, and agricultural water  
9 users, and other public and private water users, to be used to  
10 supplement other funding sources in the development of  
11 alternative water supplies. The Legislature finds that public  
12 moneys or services provided to private entities for such uses  
13 constitute public purposes which are in the public interest.  
14 In order to further the development and use of alternative  
15 water supply systems, including reclaimed water systems, the  
16 Legislature provides the following:

17       (a) The governing boards of the water management  
18 districts where water resource caution areas have been  
19 designated shall include in their annual budgets an amount for  
20 the development of alternative water supply systems, including  
21 reclaimed water systems, pursuant to the requirements of this  
22 subsection. Beginning in 1996, such amounts shall be made  
23 available to water providers and users no later than December  
24 31 of each year, through grants, matching grants, revolving  
25 loans, or the use of district lands or facilities pursuant to  
26 the requirements of this subsection and guidelines established  
27 by the districts.

28       (b) It is the intent of the Legislature that for each  
29 reclaimed water utility, or any other utility, which receives  
30 funds pursuant to this subsection, the appropriate  
31 rate-setting authorities should develop rate structures for

1 all water, wastewater, and reclaimed water and other  
2 alternative water supply utilities in the service area of the  
3 funded utility, which accomplish the following:

4 1. Provide meaningful progress toward the development  
5 and implementation of alternative water supply systems,  
6 including reclaimed water systems;

7 2. Promote the conservation of fresh water withdrawn  
8 from natural systems;

9 3. Provide for an appropriate distribution of costs  
10 for all water, wastewater, and alternative water supply  
11 utilities, including reclaimed water utilities, among all of  
12 the users of those utilities; and

13 4. Prohibit rate discrimination within classes of  
14 utility users.

15 (c) In order to be eligible for funding pursuant to  
16 this subsection, a project must be consistent with a local  
17 government comprehensive plan and the governing body of the  
18 local government must require all appropriate new facilities  
19 within the project's service area to connect to and use the  
20 project's alternative water supplies. The appropriate local  
21 government must provide written notification to the  
22 appropriate district that the proposed project is consistent  
23 with the local government comprehensive plan.

24 (d) Any and all revenues disbursed pursuant to this  
25 subsection shall be applied only for the payment of capital or  
26 infrastructure costs for the construction of alternative water  
27 supply systems that provide alternative water supplies ~~for~~  
28 ~~uses within one or more water resource caution areas.~~

29 (e) By January 1 of each year, the governing boards  
30 shall make available written guidelines for the disbursement of  
31



1 revenues pursuant to this subsection. Such guidelines shall  
2 include at minimum:

3 1. An application process and a deadline for filing  
4 applications annually.

5 2. A process for determining project eligibility  
6 pursuant to the requirements of paragraphs (c) and (d).

7 3. A process and criteria for funding projects  
8 pursuant to this subsection that cross district boundaries or  
9 that serve more than one district.

10 (f) The governing board of each water management  
11 district shall establish an alternative water supplies grants  
12 advisory committee to recommend to the governing board  
13 projects for funding pursuant to this subsection. The  
14 advisory committee members shall include, but not be limited  
15 to, one or more representatives of county, municipal, and  
16 investor-owned private utilities, and may include, but not be  
17 limited to, representatives of agricultural interests and  
18 environmental interests. Each committee member shall  
19 represent his or her interest group as a whole and shall not  
20 represent any specific entity. The committee shall apply the  
21 guidelines and project eligibility criteria established by the  
22 governing board in reviewing proposed projects. After one or  
23 more hearings to solicit public input on eligible projects,  
24 the committee shall rank the eligible projects and shall  
25 submit them to the governing board for final funding approval.  
26 The advisory committee may submit to the governing board more  
27 projects than the available grant money would fund.

28 (g) All revenues made available annually pursuant to  
29 this subsection must be encumbered ~~disbursed~~ annually by the  
30 governing board if it approves projects sufficient to expend

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1 the available revenues. Funds must be disbursed within 36  
2 months after encumbrance.

3 (h) For purposes of this subsection, alternative water  
4 supplies are supplies of water that have been reclaimed after  
5 one or more public supply, municipal, industrial, commercial,  
6 or agricultural uses, or are supplies of stormwater, or  
7 brackish or salt water, that have been treated in accordance  
8 with applicable rules and standards sufficient to supply the  
9 intended use.

10 (i) This subsection shall not be subject to the  
11 rulemaking requirements of chapter 120.

12 (j) By January 30 of each year, each water management  
13 district shall submit an annual report to the Governor, the  
14 President of the Senate, and the Speaker of the House of  
15 Representatives which accounts for the disbursal of all  
16 budgeted amounts pursuant to this subsection. Such report  
17 shall describe all projects funded and shall account  
18 separately for moneys provided through grants, matching  
19 grants, revolving loans, and the use of district lands or  
20 facilities.

21 (k) The Florida Public Service Commission shall allow  
22 entities under its jurisdiction constructing alternative water  
23 supply facilities, including but not limited to aquifer  
24 storage and recovery wells, to recover the full, prudently  
25 incurred cost of such facilities through their rate structure.  
26 Every component of an alternative water supply facility  
27 constructed by an investor-owned utility shall be recovered in  
28 current rates.

29 Section 8. Section 373.498 and subsection (3) of  
30 section 403.804, Florida Statutes, are repealed.

31

1           Section 9. The Legislature finds that the linkage of  
2 land use and water supply planning is a matter of great public  
3 importance.

4           Section 10. This act shall take effect upon becoming a  
5 law.

6  
7                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
8                                           COMMITTEE SUBSTITUTE FOR  
9                                           Senate Bill 1182

10 The committee substitute provides that the local comprehensive  
11 plan must contain a component that outlines principles for  
12 construction, extension, or increase in capacity of public  
13 facilities, including potable water facilities compatible with  
14 the applicable regional water supply plan.

15 By July 1, 2007, the potable water element must be based on  
16 data and analysis, including, but not limited to, the  
17 appropriate water management district's regional water supply  
18 plan.

19 Provides that if the feasibility study for reuse performed by  
20 the applicant shows that the reuse is feasible, the permitting  
21 agency must give significant consideration to its  
22 implementation.

23 The water management districts are required to develop an  
24 information program designed to provide information on  
25 existing hydrologic conditions of major surface and  
26 groundwater sources in Florida and suggestions for good  
27 conservation practices within those areas. Provides for  
28 distribution of such information.

29 Allows water management district alternative water supplies  
30 grants to be used for projects outside of water resource  
31 caution areas. All funds made available annually must be  
encumbered annually. Funds must be disbursed within 36 months  
of encumbrance.

Provides that the Legislature finds that the linkage of land  
use and water supply planning is a matter of great public  
importance.